

4 April 2022

Tom Pursglove MP
Minister for Justice Tackling Illegal Migration
Ministry of Justice
102 Petty France
London
SW1H 9AJ

By email: ps.tompursglove@justice.gov.uk

Dear Minister,

I am writing to you regarding a policy paper that I have published '[Access to compensation and reparation for survivors of trafficking](#)' which examines some of the key issues around access to compensation and reparation for victims of human trafficking in the UK, specifically via the confiscation of assets and the Criminal Injuries Compensation Scheme.

Compensation and reparation for survivors of trafficking can be hugely significant in providing financial security to reduce vulnerability and the risk of re-trafficking, in enabling survivors to re-integrate into communities, in providing acknowledgement of the harm that survivors have suffered and in some circumstances, in contributing to the punishment of traffickers.

The International Labour Organisation estimates that approximately \$150 billion in profit is generated globally by forced labour every year.¹ Yet few survivors receive financial compensation for the trauma that they have endured, with many experiencing significant barriers in being able to access any form of remedy. For survivors of trafficking, since 2015 a total of 206 confiscation orders with a value of over £5.8m have been granted in cases where slavery or trafficking is listed as the primary offence but only 41 compensation orders and eight reparation orders have been granted.² In addition, between 1 January 2012-28 February 2020, in England and Wales just 54 out of 283 applications to the Criminal Injuries Compensation Authority were awarded compensation.³

In my Strategic Plan 2019-2021, I noted a commitment to working with partners to assess the extent of issues relating to the availability and quality of legal advice, including where this can help

¹International Labour Organisation (2014), 'Profits and Poverty: The Economics of Forced Labour': <https://www.ilo.org/global/topics/forced-labour/publications/profits-of-forced-labour-2014/lang-en/index.htm>

²Data provided by the NCA Proceeds of Crime Centre (February 2022).

³FOI request provided by ATLEU.

survivors pursue compensation claims.⁴ Between November and December 2021 I ran a survey for law enforcement practitioners which included questions on access to compensation and reparation. This was followed by a roundtable in February 2022 for key stakeholders⁵ to discuss concerns regarding access to legal advice to help survivors recover compensation, as well as the ability to use confiscated funds to provide survivors with reparation.

This policy paper brings together the key findings from this engagement and makes observations on where further work is needed. It concludes that in order to fulfil its obligations under international law the UK must improve access to compensation for survivors of trafficking by putting financial investigation at the centre of modern slavery investigations, by making the Criminal Injuries Compensation Scheme more accessible for survivors, and improving data collection and analysis of claims made and awarded. It makes two recommendations to the Ministry of Justice that I would like to bring to your attention:

Recommendation 1: Applications to the CICS should be brought within the scope of section 32 (2) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 where they are made on behalf of a victim of trafficking or modern slavery.

Recommendation 2: Further training and guidance to be provided to Criminal Injuries Compensation Authority decision makers to improve their understanding of the specific circumstances of victims and survivors of trafficking and modern slavery.

I look forward to receiving your response. In the interests of transparency, I request that you respond in a way that enables me to publish your letter on my website.

Yours sincerely,



Independent Anti-Slavery Commissioner

⁴Independent Anti-Slavery Commissioner (2019), 'Independent Anti-Slavery Commissioner Strategic Plan': <http://www.antislaverycommissioner.co.uk/media/1329/independent-anti-slavery-commissioners-strategic-plan-19-21-screen-readable.pdf>

⁵This roundtable was attended by: the Home Office Modern Slavery Unit; the Legal Aid Agency; the Ministry of Justice; the Crown Prosecution Service; ATLEU; Hope for Justice; the Salvation Army; the Modern Slavery and Organised Immigration Crime unit; Hogan Lovells; the University of Liverpool; the Modern Slavery and Organised Immigration Crime Policy and Evidence Centre; The British Institute of Comparative and International Law; and GRETA.